

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL PARSONS,

Defendant.

4:17CR3038

MOTION TO CONTINUE

The undersigned represents that Michael Parsons is serving a state sentence in Tennessee. A writ of habeas corpus ad prosequendum has been issued demanding the defendant's appearance in Nebraska on October 26, 2017, for an initial appearance. Mr. Parsons is currently in the custody of the United States Marshal in Tennessee.

The undersigned has been advised by the United States Marshal's Service that the defendant has refused to submit to tuberculosis testing required by United States Marshals' Service policy before boarding a prisoner flight. The United States Attorney's Office for the District of Nebraska is working with the United States Attorney's Office for the Western District of Tennessee and with General Counsel's Office for the United States Marshals' Service to secure a court order requiring the defendant to submit to such testing. However, securing such an order will require the filing of a civil action in the Western District of Tennessee and it is highly unlikely the action will be completed in time for Mr. Parsons to be transported to Nebraska for his initial appearance on October 26<sup>th</sup>.

Wherefore, the United States respectfully requests a 30 day continuance to allow it time to obtain a court order requiring the defendant to submit to tuberculosis testing and to then transport him to the State of Nebraska.

UNITED STATES OF AMERICA,  
Plaintiff

ROBERT C. STUART  
Acting United States Attorney

By: s/Jan W. Sharp  
JAN W. SHARP (#16934)  
Assistant United States Attorney  
1620 Dodge Street, Suite 1400  
Omaha, Nebraska 68102-1506  
(402) 661-3700

**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify on October 16, 2017, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the parties of record

s/Jan W. Sharp  
JAN W. SHARP (#16934)  
Assistant United States Attorney